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of New York and New Jersey and The Port  
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**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

CITY OF JERSEY CITY,

Plaintiff,

v.

THE PORT AUTHORITY OF NEW  
YORK AND NEW JERSEY and THE  
PORT AUTHORITY TRANS-  
HUDSON CORPORATION,

Defendants.

Honorable Susan D. Wigenton, U.S.D.J.

Civil Action No.: 2-14-cv-03286  
(SDW)(SCM)

**DEFENDANTS' NOTICE  
OF MOTION TO DISMISS COUNT  
SEVEN AND COUNT NINE OF  
PLAINTIFF'S AMENDED COMPLAINT**

**Filed Electronically**

**Return Date : July 6, 2015**

**ORAL ARGUMENT REQUESTED**

TO: Victor A. Afanador, Esq.  
Mayra V. Tarantino, Esq.  
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**PLEASE TAKE NOTICE** that on July 6, 2015, at 9:00 a.m., or as soon  
thereafter as counsel may be heard, the undersigned counsel for Defendants The

Port Authority of New York and New Jersey and The Port Authority Trans-Hudson Corporation (hereinafter “Defendants”), shall move before the Honorable Susan D. Wigenton, U.S.D.J., at the M.L. King, Jr. Federal Bldg. and U.S. Courthouse, 50 Walnut Street, Newark, New Jersey, for entry of an Order granting Defendants’ Motion to Dismiss Count Seven and Count Nine of Plaintiff’s Amended Complaint.

**PLEASE TAKE FURTHER NOTICE** that in support of the Motion to Dismiss Count Seven and Count Nine of Plaintiff’s Amended Complaint, Defendants will rely upon the Brief and Certification of Counsel submitted herewith.

**PLEASE TAKE FURTHER NOTICE** that Defendants respectfully request oral argument.

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Dated: May 1, 2015